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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/265,844 03/10/99 LIU

K MR1345-474

PM82/1203

EXAMINER

LEV, B

ART UNIT	PAPER NUMBER
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3634

DATE MAILED:

*2*  
12/03/99

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks**

## Office Action Summary

Application No. 09/265,844	Applicant(s) Liu
Examiner Bruce A. Lev	Group Art Unit 3634

Responsive to communication(s) filed on Mar 10, 1999

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

### Disposition of Claims

Claim(s) 1-3 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1-3 is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claims \_\_\_\_\_ are subject to restriction or election requirement.

### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on Mar 10, 1999 is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## **DETAILED ACTION**

### *Specification*

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means", in line 10, and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### *Drawings*

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: "27". Correction is required.
3. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.

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***Specification***

4. The disclosure is objected to because of the following informalities:

On page 1, line 16, reference (23') is referred to as the "2nd sprocket wheel", however, on page 1, lines 19-20, reference (23') is referred to as the "2nd chain wheel".

On page 2, line 4, reference (282') is referred to as "pins", however, on page 2, line 9, reference (282') is referred to as a "chain".

On page 6, line 8, the "shell" is referred to as reference (3), however, on page 6, line 10, the "shell" is referred to as reference (2).

On page 5, line 18, the "motor" is referred to as reference (1), however, on page 6, line 14, the "motor" is referred to as reference (11).

On page 6, lines 15-16, reference (341) is referred to as a "mounting hole", however, on page 6, line 16, reference (341) is referred to as a "pin".

***Claim Rejections - 35 USC § 112***

5. Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As concerns claim 1, there is an inconsistency between the language in the preamble and certain portions in the body of the claims, thereby making the scope of the claims unclear. For example, the preamble clearly indicates that the subcombination of "a motor drive" is being

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claimed with the functional recitation of the “motor drive” being used “to operate a rolling steel door”. However, the body of the claim positively recites the “rolling steel door”, e.g. “a power output end coupled to the rolling steel door...” (lines 7-9). Therefore, the applicant is required to clarify what the claims are intended to be drawn to, i.e. either the “motor drive” alone or in combination with the “rolling steel door”, and to present the claims with the language which is consistent with the invention.

As concerns claim 3, there is an inconsistency between the language in the preamble and certain portions in the body of the claims, thereby making the scope of the claims unclear. For example, the preamble clearly indicates that the subcombination of “a motor drive” is being claimed with the functional recitation of the “motor drive” being used “to operate a rolling steel door”. However, the body of the claim positively recites the “rolling steel door”, e.g. “a second contact switch disposed at one side of a top rail of the rolling steel door” (lines 1-2), and “said second contact switch being triggered by a part of the rolling steel door” (lines 3-4), which indicates the claims as being drawn to a combination of “the motor drive” and the “rolling steel door”. Therefore, the applicant is required to clarify what the claims are intended to be drawn to, i.e. either the “motor drive” alone or in combination with the “rolling steel door”, and to present the claims with the language which is consistent with the invention.

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***Allowable Subject Matter***

6. Claims 1-3 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, set forth in this Office action.
7. The following is an examiner's statement of reasons for allowance:

Structural limitations pertaining to the combination of an electromagnet, in line 15; a compression spring between the electromagnet and a sprocket wheel to force the sprocket wheel into contact with a brake lining when the power supply to the electromagnet is cut, in lines 24-28; a lever mounted on the electromagnet axle to disengage the sprocket wheel from the brake disk, in lines 29-30; and the stop plate rod being moved in and out of a peripheral hole of the sprocket wheel stopping its rotation, in lines 31-33, along with the other structural limitations are neither taught nor suggested by the prior art of record.

***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bruce A. Lev whose telephone number is (703) 308-7470.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-2168.

bl

November 17, 1999



Daniel P. Stodola  
Supervisory Patent Examiner  
Group 3600